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HOUSE BILL 1399 By
McDaniel

SENATE BILL 1677
By Crowe

An Act to amend TCA Title 58 Chapter 1 to
establish a part 7, Tennessee National Guard Tuition
Assistance Program

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This act shall be known as the Tennessee National Guard Tuition Assistance Act.

SECTION 2. The purpose of this act is to encourage persons to become members of the Tennessee National Guard and to encourage retention of those already members in the Tennessee National Guard.

SECTION 3. The following definitions shall apply to sections 1 through 7 of this act.

- a. "Educational Institution" means any state-supported university, community college, or vocational or technical school or any private college or university located within the State of Tennessee.
- b. "Tennessee National Guard" means the federally recognized units of the Tennessee Army and Air National Guard.
- c. "Member" means an active member of a federally recognized unit of the Tennessee National Guard maintaining satisfactory membership as defined by regulations of the Department of the United States Army and the Department of the United States Air Force.

- d. “Tuition” means the total semester, quarter, or classroom hour cost of instruction in the catalog of the Educational Institution.

SECTION 4. The Tennessee National Guard Tuition Assistance Program is hereby created to provide members of the Tennessee National Guard the opportunity to attend “an educational institution.” The tuition assistance program shall be established in the authority of the Adjutant General of Tennessee who shall promulgate administrative regulations, in accordance with TCA 4-5-101 et seq., necessary to the financial management of the tuition award program and the eligibility of members to participate in the tuition award program established in this section.

SECTION 5. Upon certification by the Adjutant General that the member is eligible, the Military Department shall, to the extent that funds have been appropriated and are available to the National Guard Tuition Assistance Program, pay to the educational institution, on behalf of and for the benefit of the qualified applicant, in a manner and on such documentation from the institution and applicant, and on such forms, as may be established and required by rule or regulation of the Adjutant General of Tennessee.

SECTION 6. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

SECTION 7. Any active member of the Tennessee National Guard who is not a Tennessee resident shall qualify for the tuition award benefits provided by this Act subject to the following conditions:

- a. The member enrolls in an educational institution within the state;

- b. The tuition award benefits provided to the out-of-state member shall not exceed an amount equivalent to the in-state tuition amount the member would have received if the member were a Tennessee resident.
- c. The tuition assistance benefits provided to the member who is enrolled at a private college or university shall not exceed the amount of in-state tuition assistance the member would have received if the member were enrolled at a state-supported educational institution.

SECTION 8. This act shall take effect July 1, 2001, the public welfare requiring it.